

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
THERESA MCDONALD,

Plaintiff,

against

J.C. PENNEY CORPORATION, INC.,

Defendant.

CIVIL ACTION NO.: 19 Civ. 2209 (JPO) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

A Telephone Conference was held today, March 13, 2020, regarding Defendant's Letter-Motion for a conference seeking leave to file a motion to compel discovery, for sanctions, and for attorney's fees. (ECF No. 32). Defendant's request for leave to file a motion to compel is DENIED, and its request for leave to file a motion for sanctions and attorney's fees is DENIED without prejudice.

By **close of business on Tuesday, March 17, 2020**, Plaintiff is ORDERED as follows:

1. Health care providers and authorizations: Plaintiff is ordered to produce a list of all health care providers from 2005 to the present along with authorizations unlimited in time or scope for any health care providers not previously given.
2. Social Media: Plaintiff is ordered to respond to written discovery demands regarding her social media accounts and verify her response.
3. Felony History: Plaintiff is ordered to respond to Defendant's Interrogatory No. 2 regarding her felony history and verify her response.
4. Prior Injuries:

- a. Plaintiff is ordered to produce documents, including the bill of particulars, related to her 2014 injury.
- b. Plaintiff is ordered to produce "Exhibit B" she alleges was annexed to her Response to Defendant's Interrogatory No. 11.
- c. Plaintiff is ordered to provide to Defendant authorization to obtain documents from Bragoli & Associates related to her 2008 injury.

5. Other Personal Injury Legal Claims: Plaintiff is ordered to respond to Defendant's Interrogatory No. 14 and verify her response.

6. Driver's License: Plaintiff is ordered to produce a facsimile copy of her driver's license and bring her license for copying to her anticipated deposition.

7. Computation of Damages:

- a. Plaintiff is ordered to produce a computation of damages, including categories for bills that are yet to be verified by Medicare.

- b. Plaintiff is ordered to produce a Medicare authorization and the Medicare preliminary determination letter that lists the amount currently owed as \$0.00.

Defendant may depose Plaintiff regarding her health care providers and hold a second deposition based on discovery unearthed from the deposition.

By **Friday, March 20, 2020**, Defendant is directed to file a status letter stating (1) whether it received all of the discovery specified in this Order; (2) whether it intends to proceed with its motion for sanctions and attorney's fees; and (3) whether it requests an extension of the fact discovery deadline.

The Clerk of Court is respectfully directed to close ECF No. 32.

Dated: New York, New York
 March 13, 2020

SO ORDERED


SARAH L. CAVE
United States Magistrate Judge